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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,058	08/21/2001	Filippo L. Affif	0019-011P1	7777

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HENNEMAN & SAUNDERS  
714 WEST MICHIGAN AVENUE  
THREE RIVERS, MI 49093

EXAMINER
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ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/935,058	<b>Applicant(s)</b> AFFIF ET AL.	
	<b>Examiner</b> Ting Zhou	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) 12-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicants' election without traverse of the invention of Group I (claims 1-11 and 18-20) in the reply filed on 19 May 2004 is acknowledged. Claims 12-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.
2. The applicants' claim of priority over Provisional Application No. 60/227,138, filed on 22 August 2000 and Provisional Application No. 60/250,821, filed on 1 December 2000 has been noted.

### ***Drawings***

3. The drawings are objected to because the following reference characters are not labeled in an appropriate descriptive manner: Reference characters 12, 14, 16, 20, 22 and 24 in Figure 1 and 110 and 112 in Figure 2 should be descriptively labeled to adequately describe what element of the invention each character represents.

4. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

### ***Specification***

5. The abstract of the disclosure is objected to because of the following informalities:

a. It is suggested that the use of "(10" on line 5 be changed to -- (10) -- for grammatical correctness.

Correction is required. See MPEP § 608.01(b).

6. The disclosure is objected to because of the following informalities:

b. It is suggested that the use of "in to" on line 31 of page 1 be changed to -- into -- for grammatical correctness.

c. It is suggested that the use of "a known embodiment of the present invention includes interaction is through an input language" on lines 29-30 of page 2 be changed to -- a known embodiment of the present invention includes interaction through an input language -- for grammatical correctness.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-4 and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al. U.S. Patent 5,845,283.

Referring to claim 1, Williams et al. teach a method comprising providing an input at a first device (receiving input from data generating device) (column 2, line 42 – column 3, line 31 and column 4, lines 35-55); recording the input in a first language (receiving input in an input format) (column 2, line 42 – column 3, line 31, column 4, lines 35-55 and column 5, lines 1-8); converting the input into a second language (converting the received input in an input format to a universal data format (UDF)) (column 2, line 42 – column 3, line 31, column 4, lines 35-55 and column 5, lines 1-8); communicating the second language (sending the universal data format to an output interface device for conversion to a predetermined output format) (column 2, line 42 – column 3, line 31, column 4, lines 35-55 and column 5, lines 1-21); converting the second language into a third language (converting the UDF into a predetermined output format) (column 2, line 42 – column 3, line 31, column 4, lines 35-55 and column 5, lines 1-21); and providing the third language to a second device (sending data in the output format to a host device) (column 2, line 42 – column 3, line 31, column 4, lines 35-55 and column 5, lines 1-21). This is further recited in column 6, line 55 - column 7, lines 17 and shown in Figures 3A-3B.

Referring to claim 2, Williams et al. teach the operation of communicating the second language includes transmission of the second language over the Internet (the conversion engine sends the UDF to an output interface device for translation to an output format, the conversion engine supporting communication via all major communications protocols such as TCP/IP) (column 2, lines 43-65 and column 5, lines 15-37).

Referring to claim 3, Williams et al. teach modification of the second language such that it can be transmitted via a conventional communications medium (modifying the UDF by

translating the UDF into an output format so it can be communicated via conventional communications protocols) (column 5, lines 1-46).

Referring to claim 4, Williams et al. teach the conventional communications medium is the Internet (communication to and from the conversion engine via all major communications protocols such as TCP/IP) (column 5, lines 33-37).

Referring to claim 10, Williams et al. teach the first language and the second language are the same (the conversion rules may instruct the conversion engine to perform a task of "Perform no conversion", so that the language, or data format coming out of the conversion engine remains the same as before) (column 8, lines 33-46 and column 9, lines 11-33).

Referring to claim 11, Williams et al. teach the second language is a device independent language (converting the input received in an input format into a universal data format (UDF), which is a format known to the transaction engine, independent of the input device) (column 5, lines 58-64).

8. Claims 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Naka et al. U.S. Patent 5,513,307.

Referring to claim 18, Naka et al. teach a method comprising moving through an abstract space (displaying a video game character traversing through a video game playing field via user control) (column 2, lines 43-67 and further recited in the Abstract).

Referring to claim 19, Naka et al. teach the abstract space is an image on a display screen (displaying an image of a playing field with paths on a display screen) (column 2, lines 43-67, column 5, lines 35-51 and further recited in the Abstract and shown in Figure 41).

Referring to claim 20, Naka et al. teach the input is provided by the action of moving in a predefined manner (controlling the displayed character movement on the screen by causing the character image to follow a defined path on the playing field) (column 2, line 43 - column 3, line 4 and further recited in the Abstract and shown in Figure 41).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. U.S. Patent 5,845,283, as applied to claim 1 above, and Microsoft® FrontPage® 2000, copyright 1999 (Screenshot 1).

Referring to claim 5, Williams et al. teach all of the limitations as applied to claim 1 above. Specifically, Williams et al. teach providing an input from a data generating device (Williams et al.: column 2, line 42 – column 3, line 31). However, Williams et al. fail to explicitly teach the input includes moving in an abstract space. Microsoft FrontPage teaches a method that converts received input into another language (converting user input into HTML code) (Microsoft FrontPage: Screenshot 2) similar to that of Williams et al. In addition, Microsoft FrontPage further teaches moving in an abstract space (moving a cursor through the display space shown on the GUI), as shown by the movement of the cursor position from

Screenshot 3 to Screenshot 4. It would have been obvious to one of ordinary skill in the art, having the teachings of Williams et al. and Microsoft FrontPage before him at the time the invention was made, to modify the input received from data generating devices taught by Williams et al. to include the input of movement of a cursor within a displayed space of Microsoft FrontPage. One would have been motivated to make such a combination in order to generate data output in a desired format irrespective of the received input data, thus eliminating the need to constantly design new custom interfaces to accommodate different data formats and protocols, thereby increasing efficiency and decreasing cost.

Referring to claim 6, Williams et al., as modified, teach the abstract space is an image on a computer screen and a cursor is moved through the abstract space (moving a cursor through the displayed image on the display space of the GUI) (Microsoft FrontPage: movement of the cursor through the image from Screenshot 5 to Screenshot 6).

Referring to claim 7, Williams et al., as modified, teach the movement through the abstract space includes moving through a constrained path (movement of the cursor is constrained to the size of the display space, i.e. the dimensions of the GUI window) (Microsoft FrontPage: Screenshot 3).

Referring to claim 8, Williams et al., as modified, teach circling an object within the space (circling an object on the GUI with the circle tool shown on the tool palette) (Microsoft FrontPage: Screenshot 7).

Referring to claim 9, Williams et al., as modified, teach moving an action icon to an object (moving the action icon "A" for inserting text into the object via selection of the "A" tool button from the tool palette) (Microsoft FrontPage: Screenshot 8).



10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods of translating between different data formats.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7 February 2005

  
**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**